IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)				
Plaintiff,) 8:07CR213)				
	vs.) DETENTION ORDER				
ΤE	RRY G. HAMMOND,					
	Defendant.	}				
A.	Order For Detention After waiving a detention hearing pursuant Act on July 5, 2007, the Court orders the alto 18 U.S.C. § 3142(e) and (i).	to 18 U.S.C. § 3142(f) of the Bail Reform bove-named defendant detained pursuant				
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 					
C.	distribute in excess of 50 violation of 21 U.S.C. § years imprisonment and possession with intent to methamphetamine (Couraries a minimum sent maximum of forty years imprisonment and maximum of forty years imprisonment and maximum of forty years imprisonment and maximum of forty years imprisonment of the offense involves and course of the evidence aga imprisonment of the evidence aga imprisonment of the defendant of the defendant imprisonment of the defendant o	e offense charged: y to distribute and possess with intent to 0 grams of methamphetamine (Count I) in 846 carries a minimum sentence of ten d a maximum of life imprisonment; the o distribute more than 5 grams of actual nt II) in violation of 21 U.S.C. § 841(a)(1) tence of five years imprisonment and a imprisonment. f violence. arcotic drug. rge amount of controlled substances, to wit: inst the defendant is high. of the defendant including: appears to have a mental condition which her the defendant will appear. has no family ties in the area. has no steady employment. has no substantial financial resources. Is not a long time resident of the community. Idoes not have any significant community.				
	The defendant h	nas a history relating to drug abuse. nas a history relating to alcohol abuse. nas a significant prior criminal record.				

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			X The defendant has a prior record of failure to appear at court proceedings.	
		(b)	At the time of the current arrest, the defendant was on:	
		(5)	Probation	
			Parole	
			Release pending trial, sentence, appeal or completion of	
			sentence.	
		(c)	Other Factors:	
		. ,	The defendant is an illegal alien and is subject to	
			deportation.	
			The defendant is a legal alien and will be subject to	
			deportation if convicted.	
			The Bureau of Immigration and Custom Enforcement	
			(BICE) has placed a detainer with the U.S. Marshal.	
			Other:	
V	(4)	Tho	poture, and pariougnose of the danger peed by the defendant's	
	(4)		nature and seriousness of the danger posed by the defendant's see are as follows: The nature of the charges in the Indictment, the	
		dofon	dant's criminal; history, and the defendant's drug abuse history.	
		ueren	dant's chiminal, history, and the defendant's drug abuse history.	
X	(5)	Rebu	ttable Presumptions	
	(0)		ermining that the defendant should be detained, the Court also relied	
			following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)	
			the Court finds the defendant has not rebutted:	
	X		That no condition or combination of conditions will reasonably	
		_	assure the appearance of the defendant as required and the safety	
			of any other person and the community because the Court finds that	
			the crime involves:	
			(1) A crime of violence; or	
			(2) An offense for which the maximum penalty is life	
			imprisonment or death; or	
			X (3) A controlled substance violation which has a maximum)
			penalty of 10 years or more; or	
			(4) A felony after the defendant had been convicted of two	
			or more prior offenses described in (1) through (3)	
			above, and the defendant has a prior conviction for one	
			of the crimes mentioned in (1) through (3) above which	
			is less than five years old and which was committed while the defendant was on pretrial release.	
	Y	(b)	That no condition or combination of conditions will reasonably	
		(b)	assure the appearance of the defendant as required and the safety	
			of the community because the Court finds that there is probable	
			cause to believe:	
			X (1) That the defendant has committed a controlled	
			substance violation which has a maximum penalty of	
			10 years or more.	
			(2) That the defendant has committed an offense under 1	8
			U.S.C. § 924(c) (uses or carries a firearm during and in	
			relation to any crime of violence, including a crime of	
			violence, which provides for an enhanced punishment	
			if committed by the use of a deadly or dangerous	
			weapon or device).	

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- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: July 5, 2007. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge